

Mutual Heights

Darling Street, Cape Town
<http://www.mutualheights.net>

News from your Trustees

Edition 16

June 2009

Dear Fellow Owner,

If all goes to plan, then we will be meeting for the Annual General Meeting on Thursday 30th July 2009. This newsletter is just an advanced warning of the AGM, and to report on one of the main issues before us, so that you can be thinking about your viewpoints.

Damp management

You will have seen from the minutes of the last Trustees meeting that we have met with the expert, and that we have received his expert advice. We now need to act upon it. Dealing with the problems will not be a quick job, it seems.

Let me remind you that we are working on *two* fronts, both of which we put before the consultant and both of which need to be progressed: the *legal* situation, and the *remedial works* that are needed. We are advised that there is no reason to delay the second until we have come to a conclusion with the first, but let's look at the legal issues first here.

Legal issues

As you may know, "the developers" (Old Mutual Properties) have stated clearly that they consider they have done all that they are obliged to do in regard to the state of the building. If we are to have a case of some kind against them, then we need hard evidence of the history of the damp problems and what the developers did to try and deal with them (or not). Those people who saw the building before work began indicate that there was very wide evidence of damp; those who were around while the work was being done indicate that some aspects of the problem were dealt with, but the whole of the outside of the building was not treated (for example). If there is any evidence that damp had been noted that was *not* addressed, or that inappropriate treatments were applied, then we need to hear about it. What do you know about this, that would assist the development of a case?

Please tell us if you have information about this. We will take advice from senior counsel before we commit to any action, but we need the evidence.

Remedial works

The treatment of the *windows* and the *walls* will be different. Essentially, where the jointing on the walls (between the blocks of external granite cladding) has failed, it needs to be replaced. It has been estimated that we have more than 30 *kilometres* of jointing to attend to. With the windows, there are problems with the seal between the glass and the frame that will be relatively easy to deal with, but there are problems with damp proofing between the steel stanchions on either side of the window frames, and it may be necessary to insert a damp proof membrane (if there is none) or to replace the damp proofing that has failed. That will be more problematic, involving work from the inside of our apartments.

What next?

As previously indicated, we are now looking for volunteers to make up **two task groups** – one to deal with the legal issues and one with the remedial works. Do contact us (info@mutualheights.net) if you are willing and able to get involved. We already have a few names on our list, but we want to call on all the talent (and brain-power, and energy) that that is available.

Other matters

There is some good news! I am pleased to be able to report that there is slow progress on re-letting the space on our easterly wall, currently occupied by the "Old Mutual" sign. We hope to see some real movement on that soon, the agents that we have been talking to have been quite hopeful, especially as the Grand Parade will be a focal point for the FIFA 2010 competition. We will keep you informed.

With warm regards,
on behalf of the Trustees,

A handwritten signature in black ink that reads "Andy Bytheway". The signature is written in a cursive style with a horizontal line underneath.

(Professor) Andy Bytheway,
Chairman of the Trustees, Mutual Heights, Cape Town.
info@mutualheights.net